

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
126181-1047

In Re Application Of: Summers, et al.

Serial No.  
08/954,954

Filing Date  
October 21, 1997

Examiner  
E. Kemmerer

Group Art Unit  
1646

Title:

**NOVEL ERYTHROPOIETIN RECEPTOR AGONISTS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

1. Response to Office Action Mailed January 8, 2004;
2. Request for One Month Extension of Time;
3. Check in the amount of \$110.00; and
4. Acknowledgment Postcard.

in the above identified application.

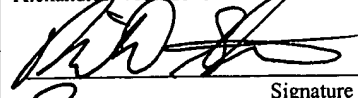
- ☐ No additional fee is required.
- ☒ A check in the amount of **\$110.00** is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **07-1053** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

  
Signature

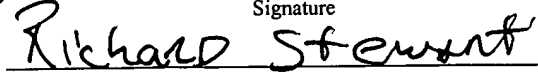
Carol M. Nielsen      Reg. No. 37,676  
Gardere Wynne Sewell LLP  
1000 Louisiana, Suite 3400  
Houston, Texas 77002-5007  
713-276-5383 phone  
713-276-5555 fax  
cnielsen@gardere.com

Dated:  May 10, 2004

I certify that this correspondence is being deposited with the U.S. Postal Service Express Mail delivery service under 37 C.F.R. 1.10 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature

  
Name of Person Signing

EV 169245986 US

"Express Mail" Mailing Label Number

Date of Signature:

5/10/04

CC:



5-11-04

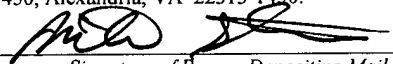
1646\$  
IFW

App. No. 08/954,954  
Reply to Office Action mailed January 8, 2004

**PATENT**  
Attorney Docket 126181-1047

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Summers, et al. )  
Appeal No.: 2003-0337 )  
Serial No.: 08/954,954 )  
Filing Date: October 21, 1997 )  
Group No.: 1646 )  
Examiner: E. Kemmerer )  
Title: Novel Erythropoietin )  
Receptor Agonists )

<p align="center"><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail service under 37 C.F.R. 1.10 on the date indicated below and addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p align="center"> Signature of Person Depositing Mail</p> <p align="center"><u>Richard Stewart</u> Typed or Handwritten Name of Person Depositing</p> <p>Express Mail Label No. <u>EV 169245986 US</u></p> <p>Date of Deposit: <u>5-10-04</u></p>
---

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION MAILED JANUARY 8, 2004**

Dear Sir:

Applicants submit this response to the non-final Office action mailed January 8, 2004. In view of the following remarks, Applicants request reconsideration and withdrawal of the outstanding rejection, and allowance of the claims pending in this application.

**Remarks/Arguments** begin on page 2 of this paper.